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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/940,309	08/27/2001	Virginia Pact Richter	4164-101 CON	5504

23448 7590 10/18/2004

INTELLECTUAL PROPERTY / TECHNOLOGY LAW
PO BOX 14329
RESEARCH TRIANGLE PARK, NC 27709

EXAMINER

SPIVACK, PHYLLIS G

ART UNIT	PAPER NUMBER
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1614

DATE MAILED: 10/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

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100804

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The Amendment filed August 2, 2004 canceling all claims drawn to the elected invention, i.e., methods of combating movement disorder in a patient experiencing or susceptible to same, by administering a neurotransmission modulating composition comprising a 5HT antagonist and/or alpha-2 antagonist, and presenting only claims drawn to non-elected inventions is non-responsive (MPEP 821.03). The new claims are not readable on the elected invention because they are directed to methods of combating movement disorder in a patient experiencing or susceptible to such movement during treatment with a dopaminergic medication, an anticonvulsant medication or an antianxiolytic medication comprising administering mirtazapine, as well as compositions comprising (i) a dopaminergic medication, an anticonvulsant medication or an antianxiolytic medication and (ii) mirtazapine.

Applicants are given a ONE MONTH time limit or until the expiration of the response period set in the last Office Action, whichever is longer, to complete the response. NO EXTENSION OF THIS TIME LIMIT WILL BE GRANTED UNDER EITHER 37 CFR 1.136(a) OR (b), but the period for response set in the last Office Action may be extended up to a maximum of SIX MONTHS.

Any inquiry concerning this communication should be directed to Phyllis Spivack at telephone number 571-272-0585.

Phyllis G. Spivack
Primary Examiner
Art Unit: 1614
October 8, 2004

PHYLLIS SPIVACK
PRIMARY EXAMINER